

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND DIVISION**

Jared Lee, et al.,

Plaintiffs,

v.

City of Midland, et al.,

Defendants.

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Civil Action No. 7:22-cv-0185

ORDER

Before the Court is the Motion to Dismiss (ECF No. 20) and the First Amended Complaint (ECF No. 27). “An amended complaint supersedes the original complaint and renders it of no legal effect unless the amended complaint specifically refers to and adopts or incorporates by reference the earlier pleading.” *King v. Dogan*, 31 F.3d 344, 346 (5th Cir. 1994). In light of the First Amended Complaint, which does not refer to or incorporate Plaintiffs’ earlier pleading, the Court determines that the Motion to Dismiss should be, and is, **DENIED** as moot.

SO ORDERED.

December 9, 2022.


BARBARA M. G. LYNN
U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS